

**Interview Agenda via Fax**

To: Examiner Pham
From: Jeramie Keys
Withers & Keys, LLC

Fax No.: 571-273-3689
Fax No: 678-565-4749

Date: December 20, 2004
1 pages : cover

Application No.: 09/828,904

Message Text:

Examiner Pham,

As discussed on the phone, I am providing an agenda for our teleconference/interview scheduled for tomorrow, Dec. 21 for this case.

Agenda:

Discuss the current rejections based on Strauss in relation to subject matter of the present invention. Namely, discuss that Strauss is concerned with establishing a voice-over IP telephone call between two individuals over a computer network. The online session data that the Examiner has referred to in Strauss is the data necessary to make the voice-over IP connection become established from the computer of the calling party to the computer of the called party.

The present invention is directed to placing a telephone call to a party based on determining whether the party to be called is on-line or off-line, as it is assumed that they cannot or will not accept an incoming call while on-line. Therefore, the online session data is the data about the party being called that specifies to the call party that will place the call when the party to be called has gone off-line, so that a call can be placed to them when it is more likely that they will answer it. Further, discuss the potential for amending the claims to further define the online session data as the data that represents when the party to be called has gone off line and that this online session data is presented to the party who will be placing the call.

Also, discuss the AOL reference that the Examiner mentioned during a previous call. This reference refers to AOL selling the telephone number of its customers to a third party telemarketer. However, simply selling the telephone number does not provide any data regarding whether the customer is online or offline at any given time. Therefore, introduction of this AOL reference does not make up for the deficiencies in the Strauss reference.

Thanks,
Jeramie Keys, 42,724